THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.25584 OF 2005

Dated: 02-12-2005

Between

V. Venkataramana Raju, S/o. late Sitaramaraju, R/o. D.No. 5-146, Kurmannapalem, Vadlapudi Post via Gajuwaka, Visakhapatnam – 16.

…PETITIONER

AND

The State of Andhra Pradesh rep. by its Principal Secretary to Government, Revenue Department, Secretariat Buildings, Hyderabad and others.

…RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to declare the action of the first respondent in rejecting his proposal for alienation of land of an extent of Ac.1.00 in Sy.No.129 of Vadlapudi Village and in Sy.No.131 of Chinagantyada Village, Gajuwaka Mandal, Visakhapatnam as illegal and arbitrary.

Learned counsel for the respondents submits that the proposals submitted by the petitioner for the alienation of the said land are still pending with the Government and this writ petition has been filed apprehending that the Government rejected the said proposals.

Learned Government Pleader after obtaining instructions filed a Memo.No.145328/Assn.I(2)/2004 dated 01.12.2005 from the Government of Andhra Pradesh Revenue and Assignment Department stating that the representation of the

petitioner for regularization of encroachments to an extent of Ac.1.00 cents in Sy.No.129 of Vadlapudi village and in Sy.No.131 of Chinagantyada village, Gajuwaka Mandal, Visakhapatnam District is under consideration of the Government and no final orders have been passed by the Government so far. Therefore, this writ petition is premature at this stage and deserves to be dismissed.

In view of the aforesaid memo stating that the Government have passed no final orders on the representation of the petitioner, the writ petition is dismissed as premature. However, it is needless to observe that any order passed by the Government on the representation of the petitioner shall be communicated to the petitioner.

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V. ESWARAIAH, J

December 2, 2005

DSK